

REMARKS

Claims 1-2 and 11 are currently pending in the present application, with claims 1 and 11 being written in independent form. Claims 1 and 11 have been amended to delete the element "P" from the definition of L in Formula 1. Thus, no new matter has been introduced into the claims.

Claim Rejections under 35 U.S.C. § 102

Claims 1-2 and 11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by US 6,620,577 (Lynch). Applicants respectfully traverse this rejection for the reasons below.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."¹

Without conceding as to any of the Examiner's assertions that are not specifically addressed herein, Applicants note that Lynch fails, as a preliminary matter, to disclose or suggest an organometallic composition having an organometallic compound represented by $Ag_mL_nX_p$, wherein "L is a neutral ligand having **photosensitivity**, which comprises 1~20 carbon atoms and a **donor** selected from the group consisting of N, O, S and As," as recited by amended claims 1 and 11. Rather, as acknowledged by the Examiner,² Lynch merely discloses "[s]ilver complexes containing organophosphine ligands."³ Stated more clearly, Lynch only discloses silver complexes having a phosphorous (P) donor.

¹ *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

² *Office Action (09/15/2009)*: p. 3, item 3, ln. 7-8.

³ *Lynch*: col. 40, ln. 45-63.

Furthermore, the silver complexes disclosed by Lynch (and relied upon by the Examiner⁴) are actually "non-photosensitive."⁵ Although Lynch does disclose a "photosensitive silver *halide*" (e.g., silver bromide, silver iodide, silver chloride)⁶, the compound is not one upon which the present claims would read.

For at least the reasons above, there can be no anticipation with regard to claims 1 and 11. Consequently, there can be no anticipation with regard to claim 2, at least by virtue of its dependency on claim 1. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the above rejection.

⁴ *Office Action* (09/15/2009): p. 3, item 3, ln. 7-10.

⁵ *Lynch*: col. 6, ln. 43; col. 39, ln. 19 – col. 41, ln. 52.

⁶ *Lynch*: col. 6, ln. 42; col. 14, ln. 43-47.

Conclusion

In view of the above, Applicants respectfully request the Examiner to allow all of the pending claims in the present application.

If the Examiner believes that personal communication will expedite the prosecution of this application, then the Examiner is invited to contact Alex C. Chang, Reg. No. 52,716, at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

John A. Castellano, Reg. No. 35,094
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

JAC/ACC:vrj
ACC